

PCLICE

THE ISLE OF MAN POLICE PENSIONS (AMENDMENT)  
(No.3) REGULATIONS 1971

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ISLE OF MAN  
TO WIT

By His Excellency Sir Peter Hyla Gawne Stallard, K.C.M.G.,  
C.V.O., M.B.E., Lieutenant Governor of the said Isle  
Etc. Etc. Etc.

THE ISLE OF MAN POLICE PENSIONS  
(AMENDMENT) (No.3) REGULATIONS 1971

I, the said Lieutenant Governor, in exercise of the powers conferred on me by Section 16 of the Police (Isle of Man) Act 1962 hereby make the following Regulations:-

PART I

GENERAL

1. These Regulations may be cited as the Isle of Man Police Pensions (Amendment) (No.3) Regulations 1971.
2. These Regulations shall come into operation on the date hereof and shall take effect from the 15th February 1971.
3. In these Regulations any reference to the principal Regulations is a reference to the Isle of Man Police Pensions Regulations 1968.

PART II

PROVISIONS RELATING TO TRANSFERS FROM THE POLICE FORCE TO A POLICE FORCE IN GREAT BRITAIN

4. The following Regulations shall be added to the principal Regulations:-
    - (a) "Previous service in a police force in Great Britain
- 38 - (1) This Regulation shall apply to a regular policeman -
- (a) who before he last became a regular policeman before the relevant date was serving in a police force in Great Britain by virtue of which he was subject to superannuation arrangements (hereafter in this Regulation referred to, respectively, as "former service" and "former superannuation arrangements");
  - (b) who has so served on or after 15th February 1971;
  - (c) who last became a regular policeman before the relevant date within 12 months of the termination of his former service or within such longer period as may be agreed, in the circumstances of his case between the Governor and the police authority concerned;

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(d) in respect of whom a transfer value is paid to the Governor, and

(e) who, within 6 months of the date specified in (b) or 3 months of last becoming a regular policeman before the relevant date, whichever is the later, or within such longer period as may be agreed as aforesaid in his case

(i) pays, or undertakes to pay in accordance with Schedule 4, a sum equal to the balance of any liability outstanding, immediately before he ceased to be engaged in his former service, in respect of payments or contributions he was then making as a condition of reckoning past service as contributing service or otherwise for the purposes of the former superannuation arrangements, being service taken into account for the purpose of calculating the transfer value referred to in sub-paragraph (d), and

(ii) pays to the Governor a sum equal to the amount, if any, by which the transfer value referred to in sub-paragraph (d) falls to be reduced on account of any sum payable to him by way of gratuity or return of contributions.

(2) There shall be reckonable by a regular policeman to whom this Regulation applies, as pensionable service in respect of his former service, the period of service which is reckonable for the purpose of calculating the transfer value referred to in paragraph (1)(d).

(b) "Transfer values payable on transfer to a police force in Great Britain.

65 - (1) This Regulation shall apply to a regular policeman -

(a) who retires or has retired and subsequently enters or entered police service in Great Britain (hereafter in this Regulation referred to as "new service");

(b) who was -

(i) not entitled to a pension on so retiring, or

(ii) if so entitled, has not received any payment in respect of the pension;

(c) who enters or entered the new service within 12 months of so retiring or within such longer period as may be agreed, in the circumstances of his case, between the Governor and the police authority concerned;

(d) who, within 6 months of the date specified in Regulation 38(1)(b) or 3 months of his entering the new service, whichever is the later, or within such longer period as may be agreed as aforesaid in the circumstances of his case, notifies the Governor that he desires this Regulation to apply in his case,

where in the new service he is, or subject to the payment of a transfer value would be, entitled to reckon service for superannuation purposes by virtue of his service as a member of the police force.

(2) In the case of a regular policeman to whom this Regulation applies the Governor shall, where he ceased to service as such on or after 15th February 1971 and may, where he ceased so to serve before that date, pay a transfer value calculated in accordance with Schedule 7 in relation to his new service.

(3) Where a regular policeman to whom this Regulation applies was entitled to an award on retiring but has received no payment in respect thereof, the award shall cease to be payable.

(4) Where a regular policeman to whom this Regulation applies -  
(a) was paying pension contribution at a rate related to 6.25% of his pensionable pay, and  
(b) has not received any award,

He shall be entitled to an award of an amount equal to the difference between his aggregate contributions in respect of the relevant period of service and what their aggregate would have been had he paid pension contributions at a rate related to 5% of his pensionable pay and had paid no additional contributions under Regulation 45 or any corresponding provision of the former Regulations; and nothing in paragraph (3) shall apply in relation to such an award. "

(c) " Application of Regulations 44 and 45 to persons with service otherwise than in the police force.

46.(1) This Regulation shall apply to a member of the police force who -

(a) first became a regular policeman on or after 15th February 1971 and is entitled to reckon pensionable service under Regulation 38

(2) In the case of a person to whom this Regulation applies by virtue of paragraph (1)(a) and who was excepted from the operation of any regulations made under the National Insurance (Isle of Man) Act 1948 or other provisions modifying the said superannuation arrangements in connection with the passing of the said Act of 1948 Regulation 44 shall apply as if he were such a person as is mentioned in paragraph (3) thereof. "

(d) "105. (2) For the purpose aforesaid the aggregate pension contributions in respect of the relevant period of service shall be taken to be the sum of the following amounts -

(a)

(b) the amount of any sums paid by the person concerned to the Governor (including sums paid in pursuance of an undertaking) as a condition of being entitled to reckon pensionable service, or, as the case may be, approved service, by virtue of service before the said period;

(c) where the person concerned has transferred to the police force any sum which had he retired instead of transferring would have been calculable under this paragraph as aggregate pension contributions at the time of transfer, and

(d) where the person concerned, while a member of the police force, became entitled, in the circumstances mentioned in Regulation 38 to reckon pensionable service by virtue of previous service or employment otherwise  
a period of

than as a member of the police force, the amount of any award by way of return of contributions or of any analogous payment which would have been made to him at the end of that period of previous service or employment had he voluntarily retired therefrom in circumstances entitling him to such an award or payment under the superannuation arrangements applicable thereto. "

Schedule 1 Part III

(e)

"1(6) In the case of a person who first became a regular policeman on or after 15th February 1971 and is entitled to reckon pensionable service for the purposes of the pension in question under Regulation 38 in respect of which he was subject to superannuation arrangements -

- (a) if he was subject to the operation of any regulations made under section 60(4) of the National Insurance (Isle of Man) Act 1948 or of other provisions modifying the said superannuation arrangements in connection with the passing of the said Act of 1948 otherwise than by virtue of an election made or notice given, then, for the purposes of sub-paragraph (1) there shall be included in the aggregate period specified in sub-paragraph (4) the period he is so entitled to reckon as pensionable service;
- (b) if he was subject to the operation of such regulations or other provisions by virtue of an election made or notice given, then, for the purposes of sub-paragraph (3) the appropriate date shall mean the date on which the said election or notice became effective and there shall be included in the aggregate period specified in sub-paragraph (4) the period he is so entitled to reckon as pensionable service;

Provided that no account shall be taken of any period he is so entitled to reckon as pensionable service which is not attributable to service or employment which would have been taken into account for the purposes of the said regulations or provisions.

2. (1) Where a person in receipt of an ordinary, ill-health or short <sup>service</sup> pension granted on retirement on or after 3rd April 1961 has been in service or employment otherwise than as a regular policeman -

- (a) in respect of which he was subject to superannuation arrangements;
- (b) by virtue of which he is entitled to reckon pensionable service for the purposes of the pension; and
- (c) the period of which includes a participating period of relevant employment,

then, for the purpose of abating the pension in relation to that participating period of relevant employment, any provision of the said arrangements in operation when he left the said service or employment the effect of which is that pensions payable thereunder are to be reduced in connection with the operation of the National Insurance (Isle of Man) Act 1948 or any provision of the National Insurance (Isle of Man) Act 1961 relating to graduated contributions or graduated retirement benefit shall apply, subject to the necessary adaptations and modifications, as though the provision were contained in this paragraph and as if -

- .....
- (i) the pension were payable under the said arrangements, and
  - (ii) any other period of service or employment by virtue of which he is entitled to reckon pensionable service for the purposes of the pension were a period of non-participating employment at the end of which no payment in lieu of contributions falls to be made.

(2) The Governor in determining any question arising under sub-paragraph (1) and relating to a particular service or employment, shall be entitled to treat as conclusive any relevant certificate issued, with the agreement of the person concerned, by his employer in that service or employment.

(3) Where for the purposes of the superannuation arrangements applicable to such service or employment as is mentioned in sub-paragraph (1) the person concerned was entitled to reckon service by virtue of some previous service or employment that previous service or employment shall be treated for the purposes of this paragraph as if it were part of the service or employment first mentioned in this sub-paragraph. "

5. The following Schedules shall be added to the principal Regulations:

(a) " SCHEDULE 4 Regulations 36,37 and 38

PAYMENT BY POLICEMAN IN RESPECT OF PREVIOUS SERVICE IN A POLICE FORCE IN GREAT BRITAIN

1.(1) Where a regular policeman undertakes to pay a sum in accordance with this Schedule he shall, subject as hereafter in the Schedule provided, pay by regular instalments of such amount that the payment of the sum will be completed within a period of 5 years and before he becomes liable to be required to retire on account of age:

Provided that he may at any time discharge his liability under the undertaking, in whole or in part, by paying the whole or part of the balance of the sum then outstanding.

(2) Any payment in accordance with this paragraph shall be made by the policeman to the Governor and, without prejudice to any other method of payment, the liability to make any such payment may be discharged by way of a deduction by the Governor from his pay.

2. If, before he has discharged his liability under the undertaking a regular policeman -

- (a) retires without an award other than one of the amount of his aggregate pension contributions in respect of the relevant period of service;
- (b) dies, or
- (c) is dismissed,

all further liability under that undertaking shall cease.

3. If before he has discharged his liability under the undertaking a regular policeman retires with an award and his liability does not cease under paragraph 2(a), the Governor shall be empowered to deduct the balance of the sum then outstanding from payments on account of the award;

Cont.....

Provided that where a payment is made on account of an ordinary or ill-health pension and in respect of a period beyond insured pensionable age no deduction shall be made from so much of the payment as is on account of the secured portion of the pension. "

(b) " SCHEDULE 7 Regulation 65  
TRANSFER VALUES

1. (1) The Transfer value payable by the Governor under Regulation 65 shall subject as hereafter in this Schedule provided be calculated in accordance with this paragraph.

(2) The amounts shown in the second and third columns of the appropriate Table or, where the transfer value is payable in respect of a woman, in the fourth and fifth columns thereof, in relation to an age which corresponds with that of the policeman are to be multiplied respectively by the number of completed years and the number of completed months aggregating less than a year, which the policeman was entitled to reckon as pensionable service immediately before he ceased to be a member of the police force.

Provided that in calculating the number of completed years and completed months which he was entitled to reckon as aforesaid any period by which his pensionable service exceeded 30 years shall be ignored, and any period by which his pensionable service exceeded 20 years but did not exceed 30 years shall be counted twice;

(3) The sum of the products aforesaid is the transfer value appropriate in respect of £100 of annual pensionable pay.

(4) The total transfer value referred to in sub-paragraph (1) is to be calculated proportionately by reference to the annual pensionable pay of the policeman.

(5) In this paragraph a reference to the appropriate Table is a reference to the following Table:

TABLE

## TRANSFER VALUE PAYABLE UNDER REGULATION 65

Age in years	Sum in respect of £100 of annual pensionable pay			
	In the case of a man, for each completed		In the case of a woman, for each completed	
	Year	Month	Year	Month
	£	£	£	£
Less than 24	19.70	1.65	12.50	1.05
24	19.70	1.65	12.60	1.05
25	19.70	1.65	12.85	1.05
26	19.70	1.65	13.30	1.10
27	19.70	1.65	13.90	1.15
28	19.70	1.65	14.60	1.20
29	19.70	1.65	15.40	1.30
30	19.75	1.65	16.25	1.35
31	19.85	1.65	17.15	1.45
32	20.05	1.65	18.05	1.50
33	20.30	1.70	18.90	1.55
34	20.60	1.70	19.75	1.65
35	21.00	1.75	20.55	1.70
36	21.45	1.80	21.25	1.75
37	21.95	1.85	21.85	1.80
38	22.45	1.85	22.40	1.85
39	22.95	1.90	22.90	1.90
40	23.45	1.95	23.40	1.95
41	23.90	2.00	23.90	2.00
42	24.35	2.05	24.40	2.05
43	24.80	2.05	24.90	2.05
44	25.25	2.10	25.40	2.10
45	25.65	2.15	25.90	2.15
46	25.95	2.15	26.40	2.20
47	26.20	2.20	26.85	2.25
48	26.40	2.20	27.25	2.25
49	26.55	2.20	27.55	2.30
50	26.65	2.20	27.80	2.30
51	26.70	2.20	28.05	2.35
52	26.75	2.25	28.30	2.35
53	26.80	2.25	28.50	2.40
54	26.85	2.25	28.70	2.40
55 or more	26.90	2.25	28.85	2.40

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2 - (1) A transfer value calculated as aforesaid shall be reduced in accordance with sub-paragraphs (2) and (3) -

- (a) in the case of a policeman other than a policeman who immediately before he ceased to be a member of the police force, was paying pension contributions at the rate of 1p a week less than the appropriate percentage of his pensionable pay;
- (b) in the case of a policeman entitled to reckon pensionable service, immediately before he ceased to be a member of the police force, by virtue of a participating period of relevant employment.

(2) The amount shown in the second column of the following Table or, in the case of a woman, in the third column thereof, in relation to an age which corresponds with that of the policeman is the amount of the reduction in respect of each £1 by which the annual value of his pension would be reduced -

- (a) under paragraph 1 of Part III of Schedule 1, in a case in which sub-paragraph (1)(a) applies and
- (b) under paragraphs 2 and 3 of the said Part III, in a case in which sub-paragraph (1)(b) applies,

in respect of any period beyond insured pensionable age, if he had become entitled to a pension on ceasing to be a member of the police force.

(3) The total reduction is to be calculated proportionately by reference to the amount by which the annual value of such a pension would be so reduced.

(4) For the purposes of sub-paragraph (1)(b) and of the provisions applied by sub-paragraph (2)(b) a period shall be treated as a participating period of relevant employment notwithstanding that a payment in lieu of contributions only fell to be made after the policeman ceased to be a member of the police force.

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TABLE

REDUCTION OF TRANSFER VALUE

Age in years	Reduction for each £1 by which annu value of pension would be reduced.	
	In the case of a man	In the case of a woman
	£	£
Less than 24	1.80	1.40
24	1.95	1.65
25	2.10	1.90
26	2.25	2.20
27	2.35	2.55
28	2.45	2.90
29	2.60	3.30
30	2.70	3.75
31	2.80	4.25
32	2.95	4.70
33	3.05	5.10
34	3.20	5.45
35	3.30	5.75
36	3.45	6.05
37	3.60	6.35
38	3.70	6.65
39	3.85	6.95
40	4.00	7.25
41	4.15	7.55
42	4.30	7.80
43	4.45	8.05
44	4.60	8.30
45	4.75	8.60
46	4.95	8.95
47	5.15	9.30
48	5.35	9.65
49	5.55	10.00
50	5.75	10.35
51	5.95	10.70
52	6.20	11.10
53	6.45	11.50
54	6.70	11.90
55	7.00	12.35
56	7.30	12.80
57	7.60	13.30
58	7.95	13.85
59	8.30	14.45
60	8.70	
61	9.15	
62	9.60	
63	10.10	
64	10.60	

3.

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5. (1) A transfer value calculated as aforesaid, shall be reduced by an amount, subject to sub-paragraph (2) equal to that of any award payable on the policeman ceasing to be a member of the police force so, however, that where he had paid pension contributions at a rate related to 6.25% of his pensionable pay or had paid additional contributions under Regulation 45 or any corresponding provision of the former Regulations the reduction shall be limited to so much of the award as would have been payable had he paid contributions at a rate related to 5% of his pensionable pay and had not paid such additional contributions.

(2) Where the time limit mentioned in Regulation 65(1)(c) is extended thereunder the amount to be deducted under sub-paragraph (1) may be increased by an amount equal to compound interest thereon at the rate of 3% per annum, with half-yearly rests, in respect of the period beginning with whichever is the later of the two following dates, that is to say -

(a) the first anniversary of the policeman's ceasing to be member of the police force, or

(b) the date on which he was paid his award,

and ending with the date on which he notifies the Governor as mentioned in Regulation 65(1)(d);

Provided that the amount to be deducted shall not exceed a half of the difference between the transfer value which would be payable but for this sub-paragraph and that which would be so payable if paragraph 6(1A)(a) applied.

6. (1A) For the purposes of calculating a transfer value any reference to the age of the policeman shall be construed as a reference to his age -

(a) at the time he ceased to be a member of the police force, where he enters or entered the new service within 12 months therefrom, or

(b) at the time he enters or entered the new service where the preceding sub-paragraph does not apply,

except that, where he ceased to be member of the police force before 15th February 1970 any such reference shall be construed as a reference to his age at 15th February 1971.

(2) Any reference in this Schedule to the annual pensionable pay of a policeman is a reference to the annual value of his pensionable pay immediately before he ceased to be a member of the police force, any retrospective increase therein granted after that time being ignored.

(3) Where a policeman ceased to be member of the police force before 5th July 1948, any references in this Schedule to annual pensionable pay and pensionable pay shall be construed, respectively, as references to annual pay and approved service within the meaning of the 1929 Conditions.

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6. The following definition should be added in Regulation 98 -

" "police authority" has the same meaning as in the Police Pensions Act 1948 (An Act of Parliament) and accordingly in relation to a Scottish Police Force has the same meaning as in the Police (Scotland) Act 1967;"

7. The following should be added in the Arrangement of Regulations -

38. Previous service in a police force in Great Britain.

46. Application of Regulations 44 and 45 to persons with Service otherwise than in the police force.

65. Transfer Values payable on transfer to a police force in Great Britain.

Schedule 4 Payment by Policemen in respect of previous service in a police force in Great Britain

Schedule 7 Transfer values

8. The Interpretation Act 1970 shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Tynwald.

GIVEN under my hand this nineteenth day of July, 1971.

P.H.G. STALLARD  
Lieutenant Governor.

Government Office,  
Isle of Man.

July 1971.

EXPLANATORY NOTE

These Regulations provide for transferability of service between the Isle of Man Police Service and the Police Services of England, Scotland and Wales. On payment of the relevant transfer value a policeman can have his previous service reckon for award purposes.

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